

BEFORE THE

DEPARTMENT OF TRANSPORTATION

WASHINGTON, D.C.

Application of)	
)	
EGYPTAIR)	
)	
for renewal of exemption pursuant to)	Docket DOT-OST-2019-0094
49 U.S.C. § 40109 (U.S.-Egypt Code-Share))	
)	

APPLICATION OF EGYPTAIR
FOR RENEWAL OF EXEMPTION AUTHORITY

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April 25, 2022

NOTICE: Any person may support or oppose this application by filing an answer and serving a copy of the answer on counsel for EgyptAir and upon each person served with this application on or before 15 days from the date this application was served upon that person.

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Pursuant to 49 U.S.C. § 40109, EgyptAir Airlines Company (“EgyptAir”) hereby applies for renewal of its exemption authority granted by the Department of Transportation (the “Department”) in the Notice of Action Taken dated June 24, 2021 in the above-referenced docket. This authority, which is scheduled to expire on June 25, 2022, permits EgyptAir to provide scheduled foreign air transportation of persons, property and mail between points in Egypt, on the one hand, and points in the United States and beyond, on the other hand, via Chicago, IL and Washington, D.C. under its existing code-share agreement with United Airlines, Inc. (“United”). By this timely filed application, EgyptAir requests that the Department renew its exemption authority for a minimum period of two years, subject to the Department’s usual conditions. EgyptAir invokes and relies upon the applicable provisions of the Administrative Procedures Act (5 U.S.C. § 558 (c)), as implemented by Part 377 of the Department’s Special Regulations, to continue in effect its existing exemption authority pending final action on this renewal application.

In support of its application, EgyptAir submits the following:

1. EgyptAir is the national airline of Egypt. It was founded in 1932 and has operated continuously since that time. EgyptAir currently operates scheduled service within Egypt, and worldwide between Egypt and numerous points in the Middle East, Europe, Asia, Africa and both North and South America.

2. In 2008, EgyptAir and United entered a code share arrangement pursuant to which they would code share on certain of each other's services between the United States and Egypt via intermediate points. On December 10, 2008, EgyptAir applied for an exemption to allow EgyptAir to provide these code share services and joined in United's simultaneous application for statements of authorization United required to implement those codeshare services.

3. By Notice of Action Taken dated April 2, 2009 (Dockets DOT-OST-2008-0384 and DOT-OST-2008-0383), the Department granted EgyptAir (1) an exemption under 49 U.S.C. § 41301 to engage in scheduled foreign air transportation of persons, property and mail between points in Egypt, on the one hand, and Chicago, IL, Los Angeles, CA, San Francisco, CA and Washington, D.C., on the other hand, via the United Kingdom and New York City under its code-share arrangement with United, and (2) a statement of authorization, for an unlimited duration, under 14 CFR Part 212 to the extent necessary to permit EgyptAir to display United's "UA" designator code on flights operated by EgyptAir (a) between any point or points in Egypt; (b) between any point or points in Egypt and any point in the United States (either non-stop or via intermediate points); and (3) between any point or points in Egypt and any point or points in third countries. The Department also granted United on an indefinite basis a statement of authorization under 14 CFR Part 212 to permit United to display EgyptAir's "MS" designator

code on flights operated by United (1) between any point or points in the United States on a blind sector basis; (2) between any point or points in the United States and any point or points in Egypt (either non-stop or via intermediate points) and beyond; and (3) between any point or points in the United States and any point or points in third countries.

4. Thereafter, the Department renewed EgyptAir's exemption authority for the period from April 7, 2011 – April 7, 2012 by Notice of Action Taken dated April 7, 2011, for the period from April 26, 2012 – April 26, 2013 by Notice of Action Taken dated April 26, 2012, for the period from March 21, 2014 – March 21, 2015 by Notice of Action Taken dated March 21, 2014, and for the period from March 2, 2015 – March 2, 2016 by Notice of Action Taken dated March 21, 2015 in Docket DOT-OST-2008-0383.

5. Then, by Notice of Action Taken dated August 14, 2019, the Department granted EgyptAir new exemption authority¹ to engage in scheduled foreign air transportation of persons, property, and mail between points in Egypt, on the one hand, and points in the United States and beyond, on the other hand, via Chicago, IL and Washington, D.C., pursuant to its code-share arrangement with United, and for the period of August 14, 2019 – August 14, 2020.

6. Thereafter, the Department renewed EgyptAir's exemption authority for the period from August 5, 2020 – August 5, 2021 by Notice of Action Taken dated June 12, 2020, and for the period from June 24, 2021 – June 24, 2022 by Notice of Action Taken dated June 24, 2021.

¹ As reflected in the Notice of Action Taken dated August 14, 2019, EgyptAir had notified the Department that it had advertently allowed its underlying exemption authority for its code-share arrangement with United to lapse on March 2, 2016 without a timely renewal filed. However, prior to that lapse, EgyptAir ceased code-sharing on United operated flights in October 2015, but United continued to codeshare on Egypt Air flights pursuant to the carriers' existing codeshare arrangement and statements of authorization.

7. In support of this application, EgyptAir submits that renewal of EgyptAir's U.S.-Egypt exemption authority is in the public interest. EgyptAir's code-share agreement with United is fully consistent with the U.S.-EgyptAir Services Agreement, as amended, and renewal of EgyptAir's exemption to provide this code-share service would ensure the continuation of competitive online service for consumers of U.S.-Egypt air services.

8. Finally, EgyptAir requests that its exemption be issued for a period of at least two years.

WHEREFORE, EgyptAir respectfully requests the Department to renew its exemption authority described above for a period of two years and to grant it such other and different relief as is consistent with this application and with the public interest.

Respectfully submitted,



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Counsel for EgyptAir

April 25, 2022

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing document on all persons named below by causing a copy to be sent via email:

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April 25, 2022